

DOA  
10-29-17

UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )  
v. )  
Guadalupe Medina Castillo, )  
a.k.a.: Jesus Leyva-Castillo, )  
a.k.a.: Jesus Leyva, )  
(A076 633 570) )

Case No. 17-9483 m j.

Defendant

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of October 29, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Guadalupe Medina Castillo, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Del Rio, Texas, on or about May 31, 2017, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated by Reference Herein**

CEB  
REVIEWED BY: Charles E. Bailey, P.S. for SAUSA Brett Day

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

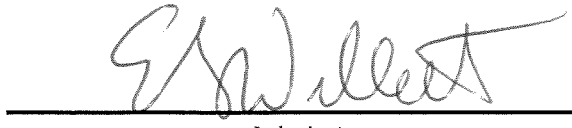
Date: October 30, 2017

City and state: Phoenix, Arizona

  
Complainant's signature

Gilbert V. Longoria,  
Deportation Officer

Printed name and title

  
Judge's signature

Eileen S. Willett,  
United States Magistrate Judge

Printed name and title

**STATEMENT OF PROBABLE CAUSE**

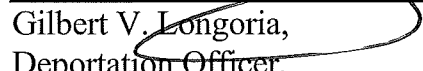
I, Gilbert V. Longoria, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On October 29, 2017, Guadalupe Medina Castillo was arrested by the El Mirage Police Department and booked into the Maricopa County Jail (MCJ) on local charges. While incarcerated at the MCJ, Medina Castillo was encountered by ICE Officer R. Bakous who determined him to be a citizen of Mexico, illegally present in the United States. On the same date, an immigration detainer was lodged with the MCJ. On October 29, 2017, Medina Castillo was released from the MCJ and transported to the Phoenix ICE office for further investigation and processing. Medina Castillo was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Guadalupe Medina Castillo to be a citizen of Mexico and a previously deported criminal alien. Medina Castillo was removed from the United States to Mexico at or near Del Rio, Texas, on or about May 31, 2017,


pursuant to the reinstatement of an order of removal issued by an immigration judge. There is no record of Medina Castillo in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Medina Castillo's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Guadalupe Medina Castillo was convicted of Attempted Transportation of Marijuana for Sale, and Unlawful Flight, both felony offenses, on August 28, 2012, in the Superior Court of Arizona, Maricopa County. Medina Castillo was sentenced to three and one half (3.5) years' incarceration. Medina Castillo's criminal history was matched to him by electronic fingerprint comparison.
5. On October 29, 2017, Guadalupe Medina Castillo was advised of his constitutional rights. Medina Castillo freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about October 29, 2017, Guadalupe Medina Castillo, an alien, was found in the United States of America at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States

at or near Del Rio, Texas, on or about May 31, 2017, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).

  
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Gilbert V. Longoria,  
Deportation Officer,  
Immigration and Customs Enforcement

Sworn to and subscribed before me  
this 30<sup>th</sup> day of October, 2017.

  
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Eileen S. Willett,  
United States Magistrate Judge